

FILED
Clerk
District Court

JUN 26 2014

for the Northern Mariana Islands
By 
(Deputy Clerk)

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN MARIANA ISLANDS

WILLIAM L. TRACY,

Plaintiff,

v.

MING YANG CORPORATION, et al.,

Defendants.

Case No. 1:13-cv-00031

**ORDER DENYING
MOTION FOR RECONSIDERATION**

Months ago, Defendant Ming Yang Corporation filed a motion to dismiss (ECF No. 8), and Plaintiff's counsel, Ramon Quichocho, did not file a timely opposition. He instead filed it the day of the hearing. (ECF No. 27.) For this the Court sanctioned him, but it nevertheless accepted his opposition. (ECF No. 28.)

Quichocho did not pay this sanction, despite Ming Yang's repeated attempts over three months. Ming Yang sought recourse in this Court through a motion to compel sanctions, filed on May 23, 2014. (ECF No. 37.) To this motion, Quichocho filed no opposition, and the Court granted it on June 16. (ECF No. 38.) In that order, the Court deemed Quichocho's failure to respond as an admission that the motion was meritorious in all aspects. (*Id.*) Accordingly, the Court ordered Quichocho to pay the fees by no later than June 25. (*Id.*)

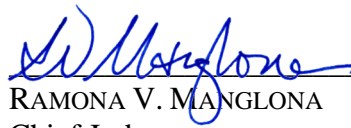
On the eve of the payment deadline, Quichocho filed a motion seeking relief from that order (ECF No. 39 (hereinafter "Motion")), and Ming Yang filed an opposition that same day (ECF No. 40).

1 Quichocho claims that the opposition was due June 12,¹ but that he left Saipan for personal and medical
2 reasons on June 10, so he could not file an opposition. (Motion at 4.) Yet this does not explain why he
3 did not file an opposition *before* he left island, or at least sought an extension; he still knew of the
4 motion.

5 Quichocho has an explanation for that too. He claims he did not file an opposition or seek an
6 extension because he was afraid of being sanctioned again. (*Id.*) But that claim is incredulous. Because
7 here he is now, essentially filing an opposition (styled as a motion for reconsideration) to the sanctions
8 in entirety. That opposition basically consists of the following argument: Quichocho should not have
9 been sanctioned for his initial failure to comply with court rules in regards to Ming Yang's motion to
10 dismiss, and so all efforts to enforce the sanction should cease and be set aside. (*See generally id.*)

11 The Court DENIES Quichocho's motion for reconsideration of the award of attorney's fees. It
12 is for essentially the same improper tactics—not filing a timely opposition and then later opposing the
13 motion—that he was originally sanctioned, yet here he is doing it again. Accordingly, Quichocho is
14 ORDERED to pay \$1,200 in attorney fees to Ming Yang by June 27, 2014, at 4:30 p.m. (*See* ECF No.
15 38.) In the event Quichocho fails to make the payment as ordered, Ming Yang may petition the Court
16 for an order to show cause against Quichocho to find him in contempt of court and impose further
17 sanctions.

18 SO ORDERED this 25th day of June, 2014.

19
20 
21 RAMONA V. MANGLONA
22 Chief Judge
23
24

¹ The opposition was actually due June 5. LR 7.1(c)(2).